

1 [REDACTED]

2 [REDACTED]

3 06-CV-00523-MISC

4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 GARY ROBERTS,

10 Plaintiff,

11 v.

12 SEATTLE POLICE OFFICER TERRY
DUNN and CITY OF SEATTLE,

13 Defendant.

CV 06-0523 MJP

King County Superior Court
Cause No. 06-2-08829-8SEA

**VERIFICATION OF STATE
COURT RECORDS**

14 TO: Clerk of the Court, King County Superior Court;

VERIFICATION

15 The undersigned hereby declares the following:

16 1. The undersigned are counsel of record for defendants City of Seattle and
17 Officer Terry Dunn.

18 2. Pursuant to CR 101(b), attached are true and correct copies of all records and
19 proceedings in the Superior Court of King County, Washington in the above-entitled
20 action, Cause No. 06-2-08829-8SEA:

21
22
23
VERIFICATION OF STATE
COURT RECORDS - 1

3019-027877 B3121

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

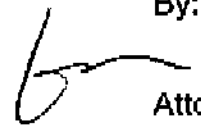
ORIGINAL

<u>Exhibit</u>	<u>Document</u>
1	Summons and Complaint
2	Order Setting Civil Case Schedule
3	Notice of Appearance Defendant City of Seattle
4	Notice of Appearance Defendant Terry Dunn
5	Affidavit/Declaration of Service

DATED this 13 day of April, 2006.

STAFFORD FREY COOPER

By: 

 Ted Buck, WSBA #22029
Thomas P. Larkin, WSBA #32990
Attorneys for Defendants City of Seattle
and Officer Terry Dunn

VERIFICATION OF STATE
COURT RECORDS - 2

3010-02/8/1 83121

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

801 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6865

Certificate of Service

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below a copy of this document entitled **VERIFICATION OF STATE COURT RECORDS** on the following individual(s):

Jennifer Cannon-Unione
Dixon & Cannon
216 First Avenue South
Suite 202
Seattle, WA 98104
(206) 957-2247
(206) 957-2250 fax
Attorneys for Plaintiff

VIA FACSIMILE
Via First Class Mail
☒ Via Messenger

DATED this 13th day of April, 2006, at Seattle, Washington.

Suzy C. Windes
Suzy C. Windes

VERIFICATION OF STATE
COURT RECORDS - 3

3019-027877 83121

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TCL 206.623.9900 FAX 206.624.6885

Exhibit 1

Verification of State Court Records
Gary Roberts v. City of Seattle, et al.

MAR. 27. 2006 12:24PM

CITYATTNY233 0072

NO. 953

P. 3/13

RECEIVED

06 MAR 22 AM 10:18

CITY OF SEATTLE
MAYOR'S OFFICE

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

GARY ROBERTS,

Plaintiff,

v.

SEATTLE POLICE OFFICER TERRY
DUNN AND CITY OF SEATTLE,

Defendants.

CAUSE NO. 06-2-08829-8 SEA

SUMMONS

TO THE DEFENDANT, CITY OF SEATTLE, NAMED ABOVE:

A lawsuit has been started against you in the above-entitled court by Gary Roberts, plaintiff. Plaintiff's claims are stated in the written Complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned Attorney for the plaintiff and file it with the court within 20 days after the service of this summons, if served within the State of Washington, and within 60 days after service, if served outside the State of Washington, exclusive of the date of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiffs

Dixon & Cannon, Ltd.
216 First Ave. South
Suite 202
Seattle, WA 98104
206 957-2247
206 957-2250 (fax)

SUMMONS - 1


MAR. 27. 2006 12:24PM

CITYATTNY233 0072

NO. 953 P. 4/13

1
2 are entitled to what they ask for because you have not responded. If you serve a notice
3 of appearance on the undersigned attorney, you are entitled to notice before a default
4 judgment may be entered. If you wish to seek the advice of an attorney in this matter,
5 you should do so promptly so that your written response, if any, may be served on time.
6 This summons is issued pursuant to Rule 4 of the Civil Rules for Courts of Limited
7 Jurisdiction.

8
9 DATED: March 21, 2006

10
11 
12 Jennifer Cannon-Unione, WSBA #27008
13 James R. Dixon, WSBA #18014
14 Counsel for Plaintiff
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Dixon & Cannon, Ltd.
218 First Ave. South
Suite 202
Seattle, WA 98104
206 957-2247
206 957-2250 (fax)

MAR. 27. 2006 12:25PM

CITYATTNY233 0072

NO. 953

P. 5/13

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06 MAR 22 AM 10:18

CITY OF SEATTLE
MAYOR'S OFFICE

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

JIM ROGERS

GARY ROBERTS

Plaintiff

No. ~~06-2~~ - 08829 - 8 SEA

COMPLAINT FOR DAMAGES

v.

SEATTLE POLICE OFFICER TERRY
DUNN and CITY OF SEATTLE

Defendants.

RECEIVED

In King County Superior Court Clerk's Office

MAR 14 2006

Clerk Section
Superior Court Clerk

COMES NOW the plaintiff, by and through his attorney, Jennifer Cannon-Uribe, and
alleges as follows:

1.1 The incident complained of herein occurred in King County, Washington.

COPY

Dixon & Cannon, Ltd.
210 First Ave. South
Suite 202
Seattle, WA 98104
206 957-2247
206 957-2250 (fax)

II

2.1 This court has jurisdiction and venue over the parties and the subject matter of this action.

III**PARTIES**

3.1 Plaintiff, Gary Roberts, is and was at all times material herein, a resident of King County, Washington.

3.2 Defendant City of Seattle, is and was at all times material herein, a government agency operating in King County, Washington.

3.3 Defendant Terry Dunn, is and was at all times material herein, a police officer employed by the City of Seattle.

IV**FACTS FORMING A BASIS FOR RELIEF**

4.1 On or about October 8, 2004, at approximately 1:00 p.m., plaintiff was walking in the crosswalk eastbound across 2nd Avenue at Yesler Street.

4.2 Defendant Officer Dunn was a passenger in a pick-up truck traveling southbound on 2nd Avenue.

4.3 At the time, defendant Officer Dunn was on duty and working undercover.

4.4 As the driver of the truck attempted to turn right onto Yesler from 2nd Avenue, he nearly ran over plaintiff.

4.5 To alert the truck driver and avoid being hit, plaintiff raised his hand and slapped the rear right truck window.

MAR. 27. 2006 12:26PM

CITYATTNY233 0072

NO. 953 P. 7/13

- 1
- 2 4.6 Upon hearing the sound, the truck driver stopped, allowing plaintiff to proceed
- 3 walking around the truck and continue crossing the intersection.
- 4 4.7 Officer Dunn immediately jumped out of the truck, ran towards plaintiff and
- 5 caught up to him as he reached the entrance to the Smith Tower.
- 6 4.8 Defendant Officer Dunn proceeded to assault plaintiff by grabbing plaintiff's arm,
- 7 shoving him through the Smith Tower entrance doors, and repeatedly slamming
- 8 him against the wall.
- 9 4.9 Defendant Officer Dunn was acting in the course and scope of his employment
- 10 as a Seattle police officer at the time he assaulted plaintiff.
- 11 4.10 Defendant Officer Dunn's actions constitute an assault against plaintiff.
- 12 4.11 Defendant Officer Dunn intentionally inflicted emotional distress upon plaintiff.
- 13 4.12 Defendant City of Seattle negligently hired defendant Officer Dunn.
- 14 4.13 Defendant City of Seattle negligently trained, supervised and disciplined
- 15 defendant Officer Dunn.
- 16 4.14 Defendants violated plaintiff's civil rights pursuant to 42 USC §1983.
- 17

18 V

19 DAMAGES

20

21 5.1 As a proximate result of the carelessness and negligence of the defendants,

22 plaintiff Gary Roberts has sustained permanent injuries. In addition, plaintiff has

23 incurred damages in an amount to be proven at trial which include, but are not limited

24 to, the following elements:

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MAR. 27. 2006 12:26PM

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NO. 953 P. 8/13

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- 2 a. Reasonable and necessary medical expenses incurred in the past and to be
- 3 incurred in the future, including pre-judgment interest on any and all such
- 4 liquidated damages;
- 5 b. Loss of time and income in the past and loss of earning capacity in the future;
- 6 c. Disability and disfigurement suffered in the past and to be experienced in the
- 7 future;
- 8 d. Physical, emotional and psychological pain and suffering in the past that will
- 9 continue to be experienced in the future; and
- 10 e. Pre-judgment interest on any and all liquidated damages.
- 11

12 Wherefore, plaintiff prays for judgment against the defendants in such an amount as

13 ~~will fairly and reasonably compensate him~~ for his general and special damages

14 sustained and the associated pre-judgment interest; for the costs and disbursements

15 herein, including reasonable attorneys' fees; and for such other relief as the Court shall

16 deem just and equitable.

17

18

19

20 DATED: March 13, 2006

21

22 

23 Jennifer Cannon-Unione, WSBA # 27008

24 Counsel for Plaintiff

25

26

27

28

Document1

Dixon & Cannon, Ltd.
216 First Ave. South
Suite 202
Seattle, WA 98104
206 957-2247
206 957-2280 (fax)

Exhibit 2

Verification of State Court Records
Gary Roberts v. City of Seattle, et al.

MAR. 27. 2006 12:27PM

CITYATTNY233 0072

NO. 959

P. 9:13

RECEIVED

06 MAR 22 AM 10:18

CITY OF SEATTLE
MAYOR'S OFFICEIN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

GARY ROBERTS,

NO. 06-2-08828-8 SEA

Order Setting Civil Case Schedule (*ORSCS)

vs

Plaintiff(s)

SEATTLE POLICE OFFICER TERRY DUNN and
CITY OF SEATTLE.

ASSIGNED JUDGE Rogers 45

FILE DATE: 03/14/2006

Defendant(s)

TRIAL DATE: 06/27/2007

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this Order Setting Case Schedule (Schedule) on the Defendant(s) along with the Summons and Complaint/Petition. Otherwise, the Plaintiff shall serve the Schedule on the Defendant(s) within 10 days after the later of: (1) the filing of the Summons and Complaint/Petition or (2) service of the Defendant's first response to the Complaint/Petition, whether that response is a Notice of Appearance, a response, or a Civil Rule 12 (CR 12) motion. The Schedule may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

Jennifer Cannon-Union

Print Name

Sign Name

RECEIVED

In King County Superior Court Clerk's Office

MAR 14 2006

Clerk Section
Superior Court Clerk

REV. 7/200 1

Order Setting Civil Case Schedule (*ORSCS)

MAR. 27. 2006 12:27PM

CITYATTNY233 0072

NO. 953

P. 10/13

I. NOTICES (continued)**NOTICE TO ALL PARTIES:**

All attorneys and parties should make themselves familiar with the King County Local Rules (KCLR) – especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, *discovery* must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLR 26], and for meeting the discovery cutoff date [See KCLR 37(g)].

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$200 must be paid when any answer that includes additional claims is filed in an existing case.

SHOW CAUSE HEARINGS FOR CIVIL CASES [King County Local Rule 4(g)]

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. A review of the case will be undertaken to confirm service of the original complaint and to verify that all answers to claims, counterclaims and cross-claims have been filed. If those mandatory pleadings are not in the file, a *Show Cause Hearing* will be set before the Chief Civil or RJC judge. The Order to Show Cause will be mailed to all parties and designated parties or counsel are required to attend.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this Schedule are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a *Notice of Appearance/Withdrawal* or *Notice of Change of Address* is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule if the case is subject to mandatory arbitration and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. Any party filing a Statement must pay a \$220 arbitration fee. If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4.71.050 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Rule 41.

King County Local Rules are available for viewing at www.metrokc.gov/kcsccl.

II. CASE SCHEDULE

CASE EVENT	DEADLINE or EVENT DATE	Filing Needed
Case Filed and Schedule Issued.	Tue 03/14/2006	*
Confirmation of Service [See KCLR 4.1].	Tue 04/11/2006	*
Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR 2.1(e) and Notices on Page 2]. \$220 arbitration fee must be paid	Tue 08/22/2006	*
DEADLINE to file Confirmation of Joinder if not subject to Arbitration. [See KCLR 4.2(e) and Notices on Page 2]. Show Cause hearing will be set if Confirmation is not filed, or if the Confirmation does not have all signatures, or if all answers have not been filed, or judgment on default has not been filed, or Box 2 is checked.	Tue 08/22/2006	*
DEADLINE for Hearing Motions to Change Case Assignment Area. [See KCLR 82(e)]	Tue 09/05/2006	
DEADLINE for Disclosure of Possible Primary Witnesses [See KCLR 26(b)].	Mon 03/26/2007	
DEADLINE for Disclosure of Possible Additional Witnesses [See KCLR 26(b)].	Mon 05/07/2007	
DEADLINE for Jury Demand [See KCLR 38(b)(2)].	Mon 05/21/2007	*
DEADLINE for Setting Motion for a Change in Trial Date [See KCLR 40(e)(2)].	Mon 05/21/2007	*
DEADLINE for Discovery Cutoff [See KCLR 37(g)].	Mon 07/09/2007	
DEADLINE for Engaging in Alternative Dispute Resolution [See KCLR 16(c)].	Mon 07/30/2007	
DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLR 16(a)(4)].	Mon 08/06/2007	
DEADLINE to file Joint Confirmation of Trial Readiness [See KCLR 16(b)(2)].	Mon 08/06/2007	*
DEADLINE for Hearing Dispositive Pretrial Motions [See KCLR 56; CR 56].	Mon 08/13/2007	
Joint Statement of Evidence [See KCLR 16(a)(5)].	Mon 08/20/2007	*
Trial Date [See KCLR 40].	Mon 08/27/2007	

III. ORDER

Pursuant to King County Local Rule 4 [KCLR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action must serve this Order Setting Civil Case Schedule and attachment on all other parties.

DATED: 03/14/2006


PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER PRIOR TO CONTACTING YOUR ASSIGNED JUDGE

This case is assigned to the Superior Court Judge whose name appears in the caption of this Schedule. The assigned Superior Court Judge will preside over and manage this case for all pre-trial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

The following procedures hereafter apply to the processing of this case:

APPLICABLE RULES:

a. Except as specifically modified below, all the provisions of King County Local Rules 4 through-26 shall apply to the processing of civil cases before Superior Court Judges.

CASE SCHEDULE AND REQUIREMENTS:

A. Show Cause Hearing: A Show Cause Hearing will be held before the Chief Civil/Chief RJC judge if the case does not have confirmation of service on all parties, answers to all claims, crossclaims, or counterclaims as well as the confirmation of joinder or statement of arbitrability filed before the deadline in the attached case schedule. All parties will receive an Order to Show Cause that will set a specific date and time for the hearing. Parties and/or counsel who are required to attend will be named in the order.

B. Pretrial Order: An order directing completion of a Joint Confirmation of Trial Readiness Report will be mailed to all parties approximately six (6) weeks before trial. This order will contain deadline dates for the pretrial events listed in King County Local Rule 16:

- 1) Settlement/Mediation/ADR Requirement;
- 2) Exchange of Exhibit Lists;
- 3) Date for Exhibits to be available for review;
- 4) Deadline for disclosure of witnesses;
- 5) Deadline for filing Joint Statement of Evidence;
- 6) Trial submissions, such as briefs, Joint Statement of Evidence, jury instructions;
- 7) voir dire questions, etc;
- 8) Use of depositions at trial;
- 9) Deadlines for nondispositive motions;
- 10) Deadline to submit exhibits and procedures to be followed with respect to exhibits;
- 11) Witnesses — identity, number, testimony;

C. Joint Confirmation regarding Trial Readiness Report: No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g. interpreters, equipment), etc. If parties wish to request a CR 16 conference, they must contact the assigned court.

Plaintiff/petitioner's counsel is responsible for contacting the other parties regarding said report.

D. Settlement/Mediation/ADR:

- 1) Forty five (45) days before the Trial Date, counsel for plaintiff shall submit a written settlement demand. Ten (10) days after receiving plaintiff's written demand, counsel for defendant shall respond (with a counteroffer, if appropriate).
- 2) Twenty eight (28) days before the Trial Date, a settlement/mediation/ADR conference shall have been held. **FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.**

RESULT IN SANCTIONS.

E. Trial: Trial is scheduled for 9:00 a.m. on the date on the Schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the King County Superior Court website at www.metrokc.gov/jcsoc to confirm trial judge assignment. Information can also be obtained by calling (206) 206-5984.

MOTIONS PROCEDURES:

A. Noting of Motions

Dispositive Motions: All Summary Judgment or other motions that dispose of the case in whole or in part will be heard with oral argument before the assigned judge. The moving party must arrange with the court a date and time for the hearing, consistent with the court rules.

King County Local Rule 7 and King County Local Rule 58 govern procedures for all summary judgment or other motions that dispose of the case in whole or in part. The local rules can be found at www.metrokc.gov/kcscs.

Non-dispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the *Note for Motion* should state "Without Oral Argument." King County Local Rule 7 governs these motions, which include discovery motions. The local rules can be found at www.metrokc.gov/kcscs.

Motions in Family Law Cases not involving children: Discovery motions to compel; motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions Calendar. King County Local Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at www.metrokc.gov/kcscs.

Emergency Motions: Emergency motions will be allowed only upon entry of an Order Shortening Time. However, emergency discovery disputes may be addressed by telephone call, and without written motion, if the judge approves.

Filing of Documents: All original documents must be filed with the Clerk's Office. The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge's working copy must be delivered to his/her courtroom or to the judges' mailroom. Do not file working copies with the Motions Coordinator, except those motions to be heard on the Family Law Motions Calendar, in which case the working copies should be filed with the Family Law Motions Coordinator.

Original Proposed Order: Each of the parties must include in the working copy materials submitted on any motion an original proposed order sustaining his/her side of the argument. Should any party desire a copy of the order as signed and filed by the judge, a preaddressed, stamped envelope shall accompany the proposed order.

Presentation of Orders: All orders, agreed or otherwise, must be presented to the assigned judge. If that judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the assigned judge or in the Ex Parte Department. Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. If final orders and/or formal proof are entered in the Ex Parte Department, counsel is responsible for providing the assigned judge with a copy.

C. Form: Memoranda/briefs for matters heard by the assigned judge may not exceed twenty four (24) pages for dispositive motions and twelve (12) pages for non-dispositive motions, unless the assigned judge permits over-length memoranda/briefs in advance of filing. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PETITIONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.



PRESIDING JUDGE

Exhibit 3

Verification of State Court Records
Gary Roberts v. City of Seattle, et al.

RECEIVED

Honorable Jim Rogers

06 MAR 29 PM 12:09

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

RECEIVED
JUDGES MAIL ROOM
2006 MAR 29 PM 1:10
KING COUNTY
SUPERIOR COURT

SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY

GARY ROBERTS,

Plaintiff,

v.

SEATTLE POLICE OFFICER TERRY
DUNN and CITY OF SEATTLE,

Defendants.

NO. 06-2-08829-8 SEA

NOTICE OF APPEARANCE ON
BEHALF OF DEFENDANT CITY
OF SEATTLE

[CLERK'S ACTION REQUIRED]

TO: The Clerk of the Above-Entitled Court

AND TO: All parties and their counsel of record

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that defendant CITY
OF SEATTLE hereby appears in the above-entitled action without waiving the questions
of:

1. Lack of jurisdiction over the subject matter;
2. Lack of jurisdiction over the person;
3. Improper venue;
4. Insufficiency of process;
5. Insufficiency of service of process;
6. Failure to state a claim upon which relief may be granted; and

NOTICE OF APPEARANCE ON BEHALF OF
DEFENDANT CITY OF SEATTLE - 1

80973

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.823.9900 FAX 206.824.6885

1 7. Failure to join a party under Rule 19.

2 YOU ARE FURTHER NOTIFIED that all further papers and pleadings herein,
3 excepting original process, shall be served upon the undersigned attorneys at the address
4 stated below.

5 DATED this 28th day of March, 2006.

6 STAFFORD FREY COOPER

7
8 By: 

Ted Buck, WSBA #22029

9 Tom Larkin, WSBA #32990

Attorneys for Defendant City of Seattle

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NOTICE OF APPEARANCE ON BEHALF OF
DEFENDANT CITY OF SEATTLE - 2

80973

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101, 1374

TEL 206.623.9900 FAX 206.624.6885

Certificate of Service

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below a copy of this document entitled NOTICE OF APPEARANCE ON BEHALF OF DEFENDANT CITY OF SEATTLE on the following individual(s):

Jennifer Cannon-Unione, WSBA #27008
James R. Dixon, WSBA #18014
Dixon & Cannon, Ltd.
216 First Avenue South, Suite 202
Seattle, WA 98104
206/957-2247
FAX: 206/2250

Attorneys for Plaintiff

- ☐ Via Facsimile
☐ Via First Class Mail
☒ Via Messenger

DATED this 28th day of March, 2006, at Seattle, Washington.


Brina Carranza

NOTICE OF APPEARANCE ON BEHALF OF
DEFENDANT CITY OF SEATTLE - 3

80973

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885

Exhibit 4

Verification of State Court Records
Gary Roberts v. City of Seattle, et al.

Honorable Jim Rogers

SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY

GARY ROBERTS,

Plaintiff,

v.

SEATTLE POLICE OFFICER TERRY
DUNN and CITY OF SEATTLE,

Defendants.

NO. 06-2-08829-8 SEA

NOTICE OF APPEARANCE ON
BEHALF OF DEFENDANT
OFFICER TERRY DUNN

[CLERK'S ACTION REQUIRED]

TO: The Clerk of the Above-Entitled Court

AND TO: All parties and their counsel of record

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that defendant
OFFICER TERRY DUNN hereby appears in the above-entitled action without waiving the
questions of:

1. Lack of jurisdiction over the subject matter;
2. Lack of jurisdiction over the person;
3. Improper venue;
4. Insufficiency of process;
5. Insufficiency of service of process;
6. Failure to state a claim upon which relief may be granted; and

NOTICE OF APPEARANCE ON BEHALF OF
DEFENDANT OFFICER TERRY DUNN - 1

80973

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101, 1374

TEL 206.623.9500 FAX 206.624.6865

1 7. Failure to join a party under Rule 19.

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3 excepting original process, shall be served upon the undersigned attorneys at the address
4 stated below.

5 DATED this 10th day of April, 2006.

6 STAFFORD FREY COOPER

7
8 By: 

Ted Buck, WSBA #22029

Tom Larkin, WSBA #32990

Attorneys for Defendant City of Seattle

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NOTICE OF APPEARANCE ON BEHALF OF
DEFENDANT OFFICER TERRY DUNN - 2

80973

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6665

Certificate of Service

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below a copy of this document entitled NOTICE OF APPEARANCE ON BEHALF OF DEFENDANT OFFICER TERRY DUNN on the following individual(s):

Jennifer Cannon-Unione, WSBA #27008
James R. Dixon, WSBA #18014
Dixon & Cannon, Ltd.
216 First Avenue South, Suite 202
Seattle, WA 98104
206/957-2247
FAX: 206/2250

Attorneys for Plaintiff

- ☐ Via Facsimile
☐ Via First Class Mail
☒ Via Messenger

DATED this 10th day of April, 2006, at Seattle, Washington.


Brina Carranza

NOTICE OF APPEARANCE ON BEHALF OF
DEFENDANT OFFICER TERRY DUNN - 3

80973

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9800 FAX 206.624.6885

Exhibit 5

Verification of State Court Records
Gary Roberts v. City of Seattle, et al.

FILED

2006 APR -5 AM 10:31

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

GARY ROBERTS

Plaintiff/Petitioner

Cause #: 06 2 08829 8 SEA

vs.
SEATTLE POLICE OFFICER TERRY DUNN
AND CITY OF SEATTLE

Defendant/Respondent

Declaration of Service of:

SUMMONS AND COMPLAINT FOR DAMAGES; ORDER
SETTING ORIGINAL CIVIL CASE SCHEDULE

Hearing Date:

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Mar 29 2006 11:30AM at the address of 810 VIRGINIA ST SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon SEATTLE POLICE OFFICER TERRY DUNN by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with TERRY DUNN.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: April 4, 2006 at Seattle, WA

by Charles Reeves
C. Reeves

Service Fee Total: \$ 84.55

ABC Legal Services, Inc.
206 521-9000
Tracking #: 3843430



**ORIGINAL
PROOF OF SERVICE**

Page 1 of 1

Dixon & Cannon, Ltd
216 1st Ave S, #202
Seattle, WA 98104
206 957-2247

FILED

2006 MAR 27 AM 10:07

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

**SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF
WASHINGTON**

GARY ROBERTS

Plaintiff/Petitioner

Cause #: 06 2 08829 8 SEA

vs.
SEATTLE POLICE OFFICER TERRY DUNN
AND CITY OF SEATTLE

Defendant/Respondent

Declaration of Service of:

SUMMONS AND COMPLAINT FOR DAMAGES; ORDER
SETTING ORIGINAL CIVIL CASE SCHEDULE

Hearing Date:

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Mar 22 2006 10:15AM at the address of 600 4TH AVE 7TH FLOOR SEATTLE, within the County of KING, State of WASHINGTON, the declarant duly served the above described documents upon CITY OF SEATTLE by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with SHAREE PIERCE, SECRETARY IN THE OFFICE OF THE MAYOR.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: March 23, 2006 at Seattle, WA

by


J. Bradford

Service Fee Total: \$ 47.55

ABC Legal Services, Inc.
206 521-9000
Tracking #: 3843429



**ORIGINAL
PROOF OF SERVICE**

Page 1 of 1

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